

## REMARKS

### Rejections under 35 U.S.C. 103(a)

The Office Action rejects claims 4, 5, 9, 10, 14, 15, 19, and 20 under 35 U.S.C. §103(a) as being unpatentable over Masumoto et al. (U.S. Patent No. 5,809,094, hereinafter “MASUMOTO”). The Office Action also appears to reject claims 5, 9, 10, 14, 15, 19, and 20 under 35 U.S.C. §103(a) as being unpatentable over MASUMOTO in view of Hiramatsu et al. (U.S. Patent No. 6,009,131, hereinafter “HIRAMATSU”). Applicant respectfully traverses both rejections.

Initially, Applicant notes that the Examiner explicitly acknowledges that MASUMOTO does not teach all of the elements recited in claim 4 (*see* page 4, middle paragraph, of the outstanding Office Action). Specifically, the Examiner admits that MASUMOTO fails to teach or suggest “a phase difference recording means” for recording a phase time difference between the first and second synchronism pattern detecting timings (as recited in claim 4). However, the Examiner asserts that “only a small level of skill in the art would be required to modify...MASUMOTO as suggested by HIRAMATSU” to arrive at the claimed invention. Applicant respectfully disagrees.

MASUMOTO does not teach “a phase difference recording means,” and HIRAMATSU fails to teach “first and second synchronism pattern detecting timings.” Accordingly, Applicant submits that the teachings of MASUMOTO and HIRAMATSU (singularly or even in combination) fail to teach or suggest all of the elements recited in claim 4, and thus the cited art fails to render the claimed invention obvious.

In claim 4, the claimed “phase difference recording means” records a time difference between a second synchronism pattern detecting timing at which a second of the plurality of

synchronism patterns is detected in the reception data and a first synchronism pattern detecting timing, as an initial one at which a first of the plurality of synchronism patterns is initially detected in the reception data. The first and second synchronism pattern detecting timings, recited in claim 4, differ significantly from the frame timing of the transmitter and the receiver disclosed in HIRAMATSU. HIRAMATSU teaches that the difference circuit 111 determines a difference (frame timing difference) between a frame timing of the transmitter and a frame timing of the receiver (*see* HIRAMATSU, col. 3, lines 34-37, and page 4, lines 20-22, of the Office Action). Thus, HIRAMATSU does not teach or suggest recording a time difference between the first and second synchronism pattern detecting timings, as recited in claim 4. Furthermore, MASUMOTO also fails to teach this element of the claimed invention, as admitted by the Examiner. For this reason alone, MASUMOTO and HIRAMATSU fail to disclose or render obvious all of the elements of the claimed invention.

Furthermore, in claim 4, the “timing for decision” is a timing obtained by shifting the first synchronism pattern detecting timing by the time difference (wherein the time difference is the difference between the first and second synchronism pattern detecting timings). MASUMOTO and HIRAMATSU do not teach or suggest recording a time difference between the first and second synchronism pattern detecting timings, let alone that the timing decision is a timing obtained by shifting the first synchronism pattern detecting timing by the time difference between the first and second synchronism pattern detecting timings. Accordingly, MASUMOTO and HIRAMATSU fail to teach or suggest another element of the claimed invention.

Moreover, claim 5 recites recording a time difference between the current and previous “synchronism pattern detecting timings.” Applicant submits that both MASUMOTO and

HIRAMATSU fail to disclose this element or render this element obvious. As current and previous “synchronism pattern detecting timings” (in claim 5) differ significantly from the “frame timing” of the transmitter and the receiver of HIRAMATSU, one skilled in the art would not arrive at the claimed invention by modifying MASUMOTO using the teachings of HIRAMATSU. Furthermore, MASUMOTO and HIRAMATSU fail to teach or suggest shifting the previous synchronism pattern detecting timing by the “time difference” (i.e. the time difference between the current and previous synchronism pattern detecting timings). For at least these reasons, Applicant submits that MASUMOTO and HIRAMATSU (either singularly or in combination) fail to disclose or render obvious all of the elements of claims 4 and 5.

As claims 9, 10, 14, 15, 19, and 20 recite the elements discussed above, these claims are also believed to be allowable over the cited publications. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted above for the independent claims, in addition to reasons related to their own recitations. Accordingly, Applicant respectfully requests reconsideration of the outstanding rejections and an indication of the allowability of all of the claims in the present application.

### SUMMARY AND CONCLUSION

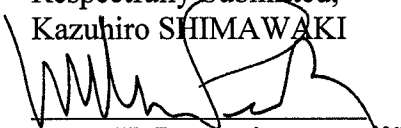
In view of the foregoing, it is submitted that Examiner's rejections should be withdrawn. Reconsideration of the outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate.

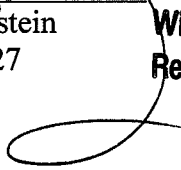
Should the Commissioner determine that an extension of time is required in order to render this response timely and/or complete, a formal request for an extension of time, under 37 C.F.R. §1.136(a), is herewith made in an amount equal to the time period required to render this response timely and/or complete. The Commissioner is authorized to charge any required extension of time fee under 37 C.F.R. §1.17 to Deposit Account No. 19-0089.

If there should be any questions concerning this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

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